

Remarks

Claims 1-7 and 9-17 are currently pending in the Application.

Summary of claim amendments

This response amends Claim 1 to recite features of Claims 2 and 13-14 and cancels Claims 2 and 12-14 without prejudice. .

This response amends Claims 3-5, 11 and 15-16 to depend from Claim 1 and to clarify the language of the claims.

35 U.S.C. §102(b) Rejection in view of Young (U.S. Patent No. 5,188,624)

Claims 1, 6-7 and 9-10 stand rejected under 35 U.S.C. §102(b) as being anticipated by Young. Applicants respectfully disagree.

Claim 1

Applicants submit that Young does not disclose, suggest or teach, *inter alia*, the following features recited by amended Claim 1 of the present application:

“wherein said lower layer has a higher density than that of said upper layer by forming indented recesses in the lower layer of said absorbent that underlies said upper layer into a continuous honeycomb shape; wherein said indented recesses are formed in linear portions having an angle of 45 degrees or less between an inclination direction of said indented recesses and a longitudinal direction of the article; wherein said indented recesses have an emboss percentage of 30 to 55%, as determined by the ratio of the thicknesses before and after an embossing treatment”

Hence, Claim 1 is patentable over Young and should be allowed by the Examiner. Claims 6-7 and 9-10, at least based on their dependency on Claim 1, are also believed to be patentable over Young.

35 U.S.C. §102(b) Rejection in view of Hirt (U.S. Patent No. 5,454,800)

Claim 1 stands rejected under 35 U.S.C. §102(b) as being anticipated by Hirt. Applicants respectfully disagree.

Claim 1

Applicants submit that Hirt does not disclose, suggest or teach, *inter alia*, the following features recited by amended Claim 1 of the present application:

“wherein said lower layer has a higher density than that of said upper layer by forming indented recesses in the lower layer of said absorbent that underlies said upper layer into a continuous honeycomb shape; wherein said indented recesses are formed in linear portions having an angle of 45 degrees or less between an inclination direction of said indented recesses and a longitudinal direction of the article; wherein said indented recesses have an emboss percentage of 30 to 55%, as determined by the ratio of the thicknesses before and after an embossing treatment”

Hence, Claim 1 is patentable over Hirt and should be allowed by the Examiner.

35 U.S.C. §103(a) Rejection

Claims 2-5 and 11-17 stand rejected under 35 U.S.C. §103(a) as being obvious in view of Young and further in view of Fitzgerald (U.S. Patent No. 4,435,178).

Applicants submit that Claims 2-5 and 11-17, at least based on their dependency on Claim 1, are believed to be patentable over Young and Fitzgerald, because there is no prima facie 35 USC 103(a) case based on Young, as shown above, and because the Examiner has not shown where Fitzgerald discloses, teaches or suggests the features not found in Young.

Conclusion


In view of the above, reconsideration and allowance of all the claims are respectfully solicited.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Post Office with sufficient postage as first class mail in an envelope addressed to Mail Stop RCE Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450 on

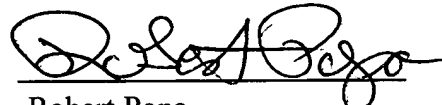
September 28, 2006
(Date of Deposit)

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Encls:

A Request for Continued Examination;
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